

REMARKS

Reconsideration and allowance of the subject application are respectfully requested. Applicant thanks the Examiner for total consideration given the present application. Claims 6-15 and 17-18 were pending prior to the Office Action. Claims 19-23 have been added through this reply. Claim 17 has been canceled without prejudice or disclaimer of the subject matter included therein. Therefore, claims 6-15 and 18-23 are pending. Claims 6-15 are independent. Applicant respectfully requests reconsideration of the rejected claims in light of the remarks presented herein, and earnestly seeks a timely allowance of all pending claims.

Specification Objections – Abstract

The Abstract has been objected to for exceeding 150 words. The Abstract has been amended as required by the Examiner. Therefore the objection to the Abstract should be withdrawn.

Specification Objections – Title

The title has been objected to for allegedly not being descriptive. The title has been amended as required by the Examiner. Therefore the objection to the title should be withdrawn.

Claim Objections

Claim 12-13 has been objected to for the term “TID.” Claim 12-13 has been amended to replace “TID” with “traffic identifier.” Therefore the objection to claims 12-13 should be withdrawn.

Further, claims have been amended merely to address informal issues and to enhance clarity (*i.e.*, clarifying the terms “NormalAck,” “BlockAck,” “Ack,” and “QoS”). It is intended that the scope of the claims remain the same.

Claim Rejection - 35 U.S.C. § 101

The Examiner rejected claim 17 asserting that claim 17 is not directed to statutory subject matter. By this amendment, Applicant has canceled claim 17, amended claim 18, and added new claims 19-23. Claims 18-23 are directed to statutory subject matter. Based on these amendments, it is respectfully requested that the outstanding rejection be withdrawn.

Office Action Not Sufficient

It is respectfully submitted that when a cited reference, used as a basis to reject one or more claims, is complex or shows or describes inventions other than that claimed, the particular part of the cited reference relied upon must be designated nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified. *See 37 C.F.R. § 1.104(c)(2)*. The Office Action fails to satisfy this standard.

In this instance, claims 6-15 and 17-18 were rejected under 35 U.S.C. § 102 (e) as being allegedly anticipated by Ginzburg (U.S. Patent Publication 2005/0111416). The action states that Ginzburg “teaches” the claims, referring simply to “Figure 1 ref. (42) and section [0024] in Ginzburg.”

A mere reference to the Ginzburg does not explain how the reference is relied upon as required by Rule 104(c)(2). As discussed below, Applicant maintains Ginzburg does not anticipate the claims.

It is respectfully requested that the Examiner fully explain how particular part(s) of Ginzburg teach each and every limitation of the claims.

Claim Rejection - 35 U.S.C. § 102(e)

Claims 6-15 and 18 stand rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by Ginzburg (U.S. Patent Publication 2005/0111416). Applicant respectfully traverses this rejection.

For a Section 102 rejection to be proper, the cited reference must teach or suggest each and every claimed element. *See M.P.E.P. 2131; M.P.E.P. 706.02*. Thus, if the cited reference

fails to teach or suggest one or more elements, then the rejection is improper and must be withdrawn.

In this instance, Ginzburg fails to teach or suggest each and every claimed element.

Argument A: Features of claims 6-15 are not taught by Ginzburg:

Applicant has amended independent claims 6-15 merely to further clarify the invention in order to move prosecution forward. More specifically, independent claim 6 as amended recites, *inter alia*, “the receiving station, if not having received a data frame requesting the BlockAck scheme within a predetermined period regardless of whether the receiving station has or has not received a data frame requesting the NormalAck scheme, regards use of the BlockAck scheme as having been terminated,” and releases resource being used for the BlockAck scheme.” *Emphasis added.*

The Examiner cites to paragraph 24 of Ginzburg when rejecting independent claims. Paragraph 24 of Ginzburg discloses that if in the course of its receipt of a train of fragments (*i.e.*, element 104) of a group (*i.e.*, element 101) but before receiving a last fragment (*i.e.*, element 106), the destination station does not successfully receive a fragment (*i.e.*, element 104) within a period of time, then a destination station (*i.e.*, element 102) transmits a group acknowledgement fragment (GACK) (*i.e.*, element 114). (See Ginzburg, paragraph 24.)

Therefore, Ginzburg merely transmits a group acknowledgement at the end of a period of time. Thus, Ginzburg actually continues using the group acknowledgement scheme unlike the claimed invention regarding the use of the BlockAck scheme to be terminated. In sum, Ginzburg does *not* disclose a receiving station regards the use of the BlockAck scheme as being terminated.

Claim 6 is submitted to be allowable over Ginzburg for at least this reason.

Independent claims 7-15 are allowable for similar reasons as set forth above in reference to independent claim 6.

Dependent claims are allowable for the reasons set forth above with regards to their independent claims at least based on their dependency on their independent claims.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 6-15 and 18 under 35 U.S.C. § 102(e).

Reconsideration and allowance of claims 6-15 and 18 are respectfully requested for at least these reasons.

Argument B: Features of claims 6-15 are not taught by Ginzburg:

Applicant has amended independent claims 6-15 merely to further clarify the invention in order to move prosecution forward. More specifically, independent claim 6 as amended recites, *inter alia*, “a resource; and a controller controlling the resource to release when the receiving station receives a message to terminate the BlockAck scheme from a transmitting station.” *Emphasis added.*

While Ginzburg does not explicitly disclose the BlockAck Scheme is released after a predetermined period, the Examiner is asserting that the resource for the transmission of the GroupAck can be released when the GroupAck is transmitted. To further clarify the claimed invention, the claimed invention has been amended to include the feature that the resource is secured until the receiving station is explicitly notified of the end of the BlockAck Scheme (*i.e.*, by a transmitting station). Therefore, this amended feature further illustrates that the resource cannot be released by merely transmitting a GroupAck.

Thus, claim 6 is submitted to be allowable over Ginzburg for at least this reason.

Independent claims 7-15 are allowable for similar reasons as set forth above in reference to independent claim 6.

Dependent claims are allowable for the reasons set forth above with regards to their independent claims at least based on their dependency on their independent claims.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 6-15 and 18 under 35 U.S.C. § 102(e).

Reconsideration and allowance of claims 6-15 and 18 are respectfully requested for at least these reasons.

Conclusion

Therefore, for at least these reasons, claims 6-15 and 18 are believed to be distinguishable over Ginzburg. Therefore, claims 6-15 and 18 are distinguishable over the cited references.

In view of the above remarks and amendments, it is believed that the pending application is in condition for allowance.

Applicants respectfully request that the pending application be allowed.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Aslan Ettehadieh Reg. No. 62,278 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By 

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